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Internal Docket No. PF020112 US

Remarks/Arguments

In the non-final Office Action dated December 5, 2007, it is noted that claims 1-9 are pending; that the drawings submitted on March 14, 2005 are objected to; and that claims 1-9 stand rejected under 35 U.S.C. §103.

Objection to the Drawings

The Office Action indicates that Figure 1 (sheet 1/3) should be designated by a legend such as "Prior Art" because only that which is old is illustrated. Applicants respectfully disagree. Figure 1 is used to explain the claimed invention and should not be considered prior art. As is clearly described in applicant's specification, for example page 4, line 25 to page 5, line 18, figure 1 shows certain embodiments of the present invention, for example where certain devices or interfaces have additional functionalities as described in the specification. As figure 1 is not prior art, it is respectfully requested the rejection be withdrawn.

Rejection of claims 1, 3, 6-8 under 35 U.S.C. 103(a) as being unpatentable over Meier (WO 95/12942) in view of Arima (US Pat 6,505,303) and Brown et al. (US Pat 5,606,664)

Applicants submit that for at least the reasons discussed below claims 1, 3, 6-8 are patentably distinct from the teachings of Meier, Arima and Brown, alone or in combination.

Claim 1 recites:

> "Method for parent election among bridge portals in a transparent wireless bridge, said transparent wireless bridge comprising at least two bridge portals, said method comprising:
>
> determining for each bridge portal the number of ports to which other wireless devices may be connected;
>
> electing a bridge portal as parent as a function of the number of such ports,
>
> connecting the other bridge portals to the ports of the elected parent portal."

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In the Office Action, it is conceded that Meier does not teach the "*determining for each bridge portal the number of ports to which other wireless devices may be connected*," as claimed. Because of this deficiency in Meier, the Office Action cites Arima, which apparently relates to port configuration in a node of a communication network (Office Action, Para. 8). Arima discloses the port configuration process of the IEEE1394 standard bus. In particular it discloses each node communicating the number of its ports to other nodes. However, Arima does not disclose "*determining for each bridge portal the number of ports to which other <u>wireless devices</u> may be connected*" (emphasis added). Arima only discloses wired ports (see Arima, Fig. 15; column 17, lines 45 – 64). Therefore, Meier, Arima, and Brown, alone or in combination, do not teach the "*determining for each bridge portal the number of ports to which other wireless devices may be connected*," as claimed.

Furthermore, in the Office Action, it is also conceded that Meier does not teach the "*electing a bridge portal as parent as a function of the number of such ports.*" Because of this deficiency, the reference Brown is cited (Office Action, Para. 9). Brown deals with a method for determining the topology of a LAN. As indicated in column 19, lines 41 – 45, Brown performs a root concentrator selection based on the largest number of down ports. However, the down port is collectively referred as all of the ports on the host modules of the concentrator (Brown, column 16, lines 16 – 18). They are not the "*ports to which other wireless devices may be connected,*" as claimed. Therefore, Meier, Arima and Brown, alone or in combination, do not teach the "*electing a bridge portal as parent as a function of the number of such ports,*" as claimed.

Moreover, Applicants submit that Meier does not disclose the "*parent election among bridge portals in a transparent wireless bridge,*" as claimed contrary to the assertion of paragraph 7 of the Office Action. According to the network components and definition of the Appendix of Meier, the distribution LAN is a 802 LAN segment, subnet 1 in figure 1 of the Appendix, that connects a wired subnet to the OWL subnet, subnet 4 in figure 1 of the Appendix. The 802 subnet, subnet 3 in figure 1 of the Appendix, is a 802 LAN that is not an OWL subnet. The election of the super root is limited to WDAP that provide access to the distribution LAN, namely among WDAPp and WDAPd. Namely, a WDAPs, that bridges the remote wired subnet to the OWL

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radio subnet, does not participate to the election process of the super node. Moreover the WDAPp and WDAPd are not bridge portals, but they are bridge devices. Therefore, Meier does not disclose the *"parent election among bridge portals in a transparent wireless bridge,"* as claimed.

According to the appendix of Meier page 29, the super root node is the root of a network spanning tree. Multiple access points can negotiate to determine which node should function as the super root of a network, using the spanning tree protocol. The super root is the node with the highest super root priority. It is then the primary WDAP, noted as WDAPp. The spanning tree protocol is defined in the IEEE802.1D-1998 standard. The protocol comprises the election of the root bridge and the selection of the least cost paths to the root bridge. According to the standard, the root bridge is the bridge with the highest priority bridge identifier. In case of MAC bridges, the bridge identifier comprises a priority number and the 48-bit MAC address. The bridge priority number may be updated by management action. It should then be noted that nowhere root election in the spanning tree protocol deals with any number of available port. Each bridge performs the selection of the least cost paths to the root bridge. This does not involve the number of available ports in each bridge portal.

Applicants submit that the combination of the cited references would not produce the claimed invention. Rather, by combining Meier with Arima and Brown, it would result in a method for selecting a bridge only among bridges of WDAPp and WDAPd types, and the selection would be performed on the device having the highest number of wired ports available. Furthermore, the combination of the cited references would not lead a skilled person in the art to the teaching of the claim. Combining Meier with Arima and Brown would lead the skilled person in the art to a method for selecting a bridge only among bridges of WDAPp and WDAPd types.

In view of at least the foregoing reasons, claim 1 is patentably distinct from the teachings of Meier, Arima and Brown, alone or in combination. Withdrawal of the rejection of claim 1 under 35 U.S.C. 103(a) is respectfully requested. Withdrawal of the rejection of claims 3 and 6 – 8 under 35 U.S.C. 103(a) is further requested because they depend from claim 1 and each also includes further distinguishing features.

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Rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Arima and Brown, and further in view of the Specification of the present application

The Office Action further cites the Specification of the present application as allegedly showing the additional features cited in dependent claim 2. However, Applicants submit that the teaching in the Specification of the present application does not in any way cure the deficiencies present in the teachings of Meier, Arima and Brown with regard to claim 1 as discussed above. Since claim 1 is patentable over Meier, Arima and Brown, claim 2 is also patentable because it depends from and inherits all the limitations of claim 1. Withdrawal of the rejection of claim 2 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claim 4 under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Arima and Brown, and further in view of IEEE Standard 802.1w

The Office Action further cites the IEEE Standard 802.1w as allegedly showing the additional features cited in dependent claim 4. However, Applicants submit that the teaching in IEEE Standard 802.1w does not in any way cure the deficiencies present in the teachings of Meier, Arima and Brown with regard to claim 1 as discussed above. Since claim 1 is patentable over Meier, Arima and Brown, claim 4 is also patentable because it depends from and inherits all the limitations of claim 1. Withdrawal of the rejection of claim 4 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claim 5 under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Arima, Brown and IEEE Standard 802.1w, and further in view of Moriya (US Pg Pub 2002/0027887)

As discussed above, since claim 4 is patentable over Meier, Arima, Brown and IEEE Standard 802.1w, claim 5 is also patentable because it depends from and inherits all the limitations of claim 4. Applicants submit that the teaching Moriya does not in any way cure the deficiencies present in the teachings of Meier, Arima, Brown and IEEE Standard 802.1w with regard to claims 4 or 1. Withdrawal of the rejection of claim 5 under 35 U.S.C. 103(a) is respectfully requested.

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Rejection of independent claim 9 under 35 U.S.C. 103(a) as being unpatentable over Meier in view of Brown

Applicant's independent claim 9 recites an apparatus and includes several similar distinguishing features as discussed above with respect to claim 1. Applicants essentially repeat all the above arguments for claim 1 and apply them to the apparatus claim 9 pointing out why claim 9 is not obvious to one skilled in the art in view of Meier in combination with Brown. Withdrawal of the rejection of claim 9 under 35 U.S.C. 103(a) is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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